

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

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MIHAITA CONSTANTIN,

CASE NO. CIV. S-04-1247 WBS PAN

Plaintiff,

v.

ORDER

COUNTY OF SACRAMENTO;
SACRAMENTO COUNTY SHERIFF'S
DEPARTMENT; SHERIFF LOU
BLANAS, individually and in
official capacity as Sheriff
of the Sacramento County
Sheriff's Department; DEPUTY
C. MASON; DEPUTY PARKER;
DEPUTY MORCK; DEPUTY PAI;
DEPUTY DE LA CRUS; DOES I
through XXX, inclusive,

Defendants.

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STATUS ORDER

After reviewing the parties' separate status
statements, the court makes the following orders:

I. FURTHER STATUS CONFERENCE

A further status conference is scheduled for April 10,
2006 at 9:00 a.m. At that time, the court will consider a new
scheduling order.

1 II. FINAL PRETRIAL CONFERENCE

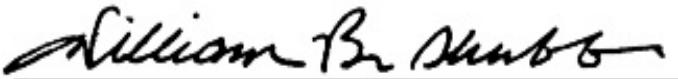
2 Plaintiff's counsel has requested additional time to
3 prepare his pretrial statement, which was due on December 30,
4 2005, ten court days before the scheduled pretrial conference.
5 L.R. 16-281 (E.D. Cal. 1997). In support of this request,
6 plaintiff's counsel notes that the plaintiff in this action died
7 on May 14, 2005 and counsel has not yet been retained by
8 plaintiff's estate to pursue the decedent's claim. Complicating
9 matters further, plaintiff's wife, Gabriela Constantin, resides
10 in Romania and communication with her, which requires the use of
11 an interpreter, has been "non-existent." Lucian Stanciu, who has
12 power of attorney over investigations concerning plaintiff's
13 death, has filed a petition for status as Special Administrator
14 of the estate. However, plaintiff's counsel has not yet received
15 an order of appointment establishing the estate's representative.

16 In light of these circumstances, the court hereby
17 vacates the Pretrial Conference scheduled for January 17, 2006.
18 A new date will be assigned at the April 10, 2006 status
19 conference.

20 III. TRIAL SETTING

21 The court also hereby vacates the Trial scheduled for
22 March 14, 2006 for the same reasons explained above. A new date
23 will be assigned at the April 10, 2006 status conference.

24 DATED: January 13, 2006

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27 WILLIAM B. SHUBB
28 UNITED STATES DISTRICT JUDGE

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